

109TH CONGRESS
1ST SESSION

H. R. 3397

To amend title 49, United States Code, to enhance security at general aviation airports in the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2005

Mr. SWEENEY introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend title 49, United States Code, to enhance security at general aviation airports in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “General Aviation Secu-
5 rity Act of 2005”.

6 **SEC. 2. GENERAL AVIATION AIRPORT SECURITY.**

7 (a) IN GENERAL.—Subchapter I of chapter 449 of
8 title 49, United States Code, is amended by adding at the
9 end the following:

1 **“§ 44926. General aviation airport security**

2 “(a) DEFINITIONS.—In this section, the following
3 definitions apply:

4 “(1) GENERAL AVIATION AIRPORT.—The term
5 ‘general aviation airport’ means an airport that
6 serves the operation of civilian aircraft for purposes
7 other than commercial passenger transport, includ-
8 ing personal, business, and instructional flying, and
9 that the Secretary of Homeland Security determines,
10 by regulation, is subject to the requirements of this
11 section.

12 “(2) PRIVATE-USE AIRPORT.—The term ‘pri-
13 vate-use airport’ means a general aviation airport
14 used exclusively by the owner of the airport and per-
15 sons authorized by the owner.

16 “(3) PUBLIC-USE AIRPORT.—The term ‘public-
17 use airport’ means a general aviation airport avail-
18 able for use by the general public without a require-
19 ment for the prior approval of the owner or operator
20 of the airport except as may be required by Federal
21 law or regulation.

22 “(b) REGISTRATION.—

23 “(1) IN GENERAL.—In order to enhance the se-
24 curity at the general aviation airports of the United
25 States, the Secretary of Homeland Security shall re-
26 quire a person desiring to operate a private-use or

1 public-use airport to register with the Secretary
2 within one year of the date of enactment of this sec-
3 tion.

4 “(2) INITIAL REGISTRATION.—

5 “(A) PERIOD OF EFFECTIVENESS.—The
6 registration of a private-use or public-use air-
7 port under this subsection shall be effective for
8 a period of 3 years.

9 “(B) FORMS.—The registration shall be
10 submitted on forms provided by the Secretary.
11 Such forms shall contain the following informa-
12 tion:

13 “(i) The physical and mailing address-
14 es of the airport.

15 “(ii) The telephone number, facsimile
16 number, and e-mail address of the airport.

17 “(iii) The name or names and tele-
18 phone number or numbers of one or more
19 24-hour security contact persons, as des-
20 ignated by the airport.

21 “(iv) A map showing the location and
22 general boundaries of the airport.

23 “(v) Such other information as the
24 Secretary may reasonably prescribe.

1 “(3) SECURITY PLAN.—The registration also
2 shall be accompanied by the written security plan re-
3 quired under subsection (c).

4 “(4) RENEWAL OF REGISTRATION.—

5 “(A) PERIOD FOR RENEWALS.—A private-
6 use or public-use airport shall renew its reg-
7 istration with the Secretary every 3 years.

8 “(B) FORMS.—Requests for renewal shall
9 be made on forms supplied by the Secretary
10 and shall not be accepted unless accompanied
11 with an updated written security plan as pro-
12 vided in subsection (c).

13 “(5) FEE.—The Secretary may impose fees to
14 cover the costs of incurred by the Secretary in car-
15 rying out registrations and renewals under this sub-
16 section, and shall ensure that any such fee is reason-
17 ably related, as determined by the Secretary, to such
18 costs.

19 “(c) WRITTEN SECURITY PLAN.—

20 “(1) SUBMISSION TO SECRETARY.—The Sec-
21 retary shall require each private-use and public-use
22 airport to document its security procedures in a
23 written security plan that is consistent with the most
24 recent security guidelines for general aviation air-

1 ports published by the Transportation Security Ad-
2 ministration.

3 “(2) UPDATES.—The Secretary shall require an
4 airport that submits a plan under paragraph (1) to
5 submit to the Secretary an updated version of the
6 plan every 3 years with the airport’s renewal appli-
7 cation for registration under subsection (b).

8 “(3) SECURITY ENHANCEMENT RECOMMENDA-
9 TIONS.—

10 “(A) CONSIDERATION IN DEVELOPING
11 WRITTEN PLANS.—In developing a written secu-
12 rity plan, an airport shall consider the applica-
13 ble security enhancement recommendations con-
14 tained in the most recent security guidelines for
15 general aviation airports published by the
16 Transportation Security Administration.

17 “(B) DESCRIPTIONS AND JUSTIFICA-
18 TIONS.—A written security plan shall include a
19 description of how the airport has addressed
20 each applicable recommendation of such guide-
21 lines and a justification for not adopting any
22 applicable recommendation suggested by such
23 guidelines for the airport’s security characteris-
24 tics.

1 “(4) USE OF SELF-ASSESSMENT MEASUREMENT
2 TOOLS.—Applicable recommendations from such
3 guidelines shall be determined by an airport by using
4 the airport characteristics self-assessment measure-
5 ment tool available in such document and any other
6 self-assessment tools subsequently issued by the
7 Transportation Security Administration.

8 “(5) SUBMISSION TO LOCAL LAW ENFORCE-
9 MENT AGENCIES.—In addition to submitting a writ-
10 ten security plan to the Secretary under subsection
11 (b), a private-use and public-use airport shall submit
12 a copy of the plan and all updates of the plan to
13 local law enforcement agencies having jurisdiction
14 over the airport.

15 “(d) ADDITIONAL REQUIREMENTS.—

16 “(1) PRIVATE-USE AIRPORTS.—In addition to
17 the other provisions of this section, the Secretary
18 shall ensure that private-use airports meet the fol-
19 lowing requirements:

20 “(A) Require all aircraft to be double-
21 locked, with one lock internal to the aircraft,
22 and one lock external to the aircraft, when such
23 aircraft is not in operation.

24 “(B) Provide that all hangars be locked
25 when not in use.

1 “(C) Provide adequate fencing for secure
2 areas.

3 “(2) PUBLIC-USE AIRPORTS.—In addition to
4 the other provisions of this section, the Secretary
5 shall ensure that public-use airports meet the re-
6 quirements of private-use airports set forth in para-
7 graph (1) and the following additional requirements:

8 “(A) Require verification of the identity of
9 all aircraft passengers by the aircraft crew.

10 “(B) Maintain a log of all transient air-
11 craft for a minimum of 5 years.

12 “(C) Develop a written list of emergency
13 contacts and telephone numbers, to be available
14 to airport personnel.

15 “(D) Restrict the access of unlicensed per-
16 sons and student pilots to aircraft keys.

17 “(E) Require persons renting aircraft to
18 present government-issued identification, which
19 identification shall be in addition to any pilot’s
20 license.

21 “(F) Post airport security warning signs
22 and advisories where appropriate.

23 “(G) Create an emergency locator map,
24 which may be hand-drawn generally to scale,
25 identifying areas such as runways, ramp areas,

1 fence lines, gates, and sites and provide copies
2 of such map to emergency response agencies
3 serving such airport, to law enforcement agen-
4 cies having jurisdiction over such airport, and
5 appropriate airport personnel. Whenever there
6 is a physical change involving such areas, such
7 map shall be revised and resubmitted to the
8 such emergency response and law enforcement
9 agencies and airport personnel within 60 days
10 of such change.

11 “(H) Familiarize local law enforcement
12 with the airport and consult with them in the
13 airport’s development of appropriate security
14 procedures.

15 “(e) STATEMENT ON CONFIDENTIALITY.—The map
16 required under subsection (c)(2)(G) and the written secu-
17 rity plan required under subsection (c) shall each promi-
18 nently display the following statement: ‘This document
19 may contain information that if disclosed could endanger
20 the life or safety of the public, and therefore this document
21 is to be maintained and used in a manner which preserves
22 the confidentiality of the information contained herein in
23 a manner consistent with law.’.

24 “(f) LIMITATION ON DISCLOSURE OF INFORMA-
25 TION.—Notwithstanding any other provision of law, nei-

1 ther the Secretary, nor any agency receiving information
2 from the Secretary, shall disclose safety or security related
3 information obtained from airports under this section if
4 the Secretary finds that withholding such information
5 from disclosure would be consistent with the Secretary's
6 safety and security responsibilities.”.

7 (b) CONFORMING AMENDMENT.—The analysis for
8 subchapter I of chapter 449 of title 49, United States
9 Code, is amended by adding at the end the following:

“44926. General aviation airport security.”.

